

## § 845.51

pursuant to §831.12 or §845.27 and petitions for reconsideration and modification submitted pursuant to §845.41, comments thereon by other parties, and the Board's rulings, shall also be placed in the public docket.

(b) The docket shall be established as soon as practicable following the accident, and material shall be added thereto as it becomes available. Where a hearing is held, the exhibits will be introduced into the record at the hearing.

(c) A copy of the docket shall be made available to any person for review at the Washington office of the Board. Copies of the material in the docket may be obtained, upon payment of the cost of reproduction, from the Public Inquiries Section, Bureau of Administration, National Transportation Safety Board, Washington, DC 20594.

[44 FR 34419, June 14, 1979, as amended at 48 FR 52740, Nov. 22, 1983]

## § 845.51 Investigation to remain open.

Accident investigations are never officially closed but are kept open for the submission of new and pertinent evidence by any interested person. If the Board finds that such evidence is relevant and probative, it shall be made a part of the docket and, where appropriate, parties will be given an opportunity to examine such evidence and to comment thereon.

## PART 850—COAST GUARD—NATIONAL TRANSPORTATION SAFETY BOARD MARINE CASUALTY INVESTIGATIONS

Sec.

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## 49 CFR Ch. VIII (10–1–07 Edition)

AUTHORITY: Sec. 304(a)(1)(E), Independent Safety Board Act of 1974, Pub. L. 93–633, 88 Stat. 2168 (49 U.S.C. 1903).

SOURCE: 42 FR 61204, Dec. 1, 1977, unless otherwise noted.

### § 850.1 Purpose.

This part prescribes the joint regulations of the National Transportation Safety Board and the Coast Guard for the investigation of marine casualties.

[47 FR 46089, Oct. 15, 1982]

### § 850.3 Relationship to Coast Guard marine investigation regulations and procedures.

(a) The Coast Guard's responsibility to investigate marine casualties is not eliminated nor diminished by the regulations in this part.

(b) In those instances where the Board conducts an investigation in which the Coast Guard also has responsibility under R.S. 4450 (46 U.S.C. 239), the proceedings are conducted independently, but so as to avoid duplication as much as possible.

### § 850.5 Definitions.

As used in this part:

(a) *Act* means Title III of Pub. L. 93–633, the Independent Safety Board Act of 1974 (49 U.S.C. 1901, *et seq.*).

(b) *Board* means the National Transportation Safety Board.

(c) *Chairman* means the Chairman of the National Transportation Safety Board.

(d) *Commandant* means the Commandant of the Coast Guard.

(e) *Major marine casualty* means a casualty involving a vessel, other than a public vessel, that results in—

(1) The loss of six or more lives;

(2) The loss of a mechanically propelled vessel of 100 or more gross tons;

(3) Property damage initially estimated as \$500,000 or more; or

(4) Serious threat, as determined by the Commandant and concurred in by the Chairman, to life, property, or the environment by hazardous materials.

(f) *Public vessel* means a vessel owned by the United States, except a vessel to which the Act of October 25, 1919, c. 82 (41 Stat. 305, 46 U.S.C. 363) applies.

(g) *Vessel of the United States* means a vessel—